

**Verbal Testimony to 5/20/2013 ECA hearing**

**From: Reid Brockway**

**Subject: Continuation of testimony while code is still changing**

**EXHIBIT NO.**

CC73

As the Council is aware, the draft ECA code is continuing to be revised. Staff has produced a Council Review Draft dated May 7<sup>th</sup>, and I understand more changes are in the works. So the code is continuing to evolve well after the Planning Commission phase. A number of the changes go beyond merely editorial, but they didn't rise to the level of Planning Commission policy decisions.

And I'm not saying this is bad. As you have been hearing from me and other citizens, the code still contains a lot of problems down in the details – too many for the Commission to have addressed. But they definitely deserve attention, and now is the time.

But this presents a potential *process* problem as regards public input. The code itself is the ultimate product of the ECA update, and it has become a moving target. Changes are being made that are substantive, but public comment is to be cut off at the end of this testimony. If we don't have the opportunity to review and comment on these further changes the city will have cut the public out of the process prematurely.

I understand that once the Council starts deliberating, further citizen comment would be a problem. But that's not what I'm talking about here. I'm referring to the ongoing code changes being made by Staff, some even in response to my input. Citizens for Sammamish (CFS) and other interested parties deserve the right to review and comment on these changes prior to deliberations. The devil is in the details, and as the CFS mark-up of the Planning Commission Recommended draft reflects, there are still a lot of things at a detailed level that need to be fixed.

Today I submitted written testimony that contains an accounting of what issues in the CFS mark-up have and have not been addressed by the Council Review draft. I appeal to the Council to direct Staff to fix as many of those problems as they can before deliberations start, and for you to refer to my accounting during deliberations and deal with the remaining issues then.

But my main request to the Council is, out of fairness to the public, please do not cut off public testimony until a version of the draft code has been frozen that becomes the basis for deliberations, and I and others have had a chance to review and comment on it. That's the way the process should work.

I hope you will discuss this matter before declaring testimony closed.